

Remarks/Arguments:

Claims 1-32 are pending in this application and claims 22-32 are withdrawn from consideration by the Examiner. Applicants have now cancelled claims 22-32. With this response, claims 1 and 9 are amended. No new matter has been introduced by these amendments. Accordingly, claims 1-21 are pending in this application.

Objection to Title

The title is objected to as non-descriptive. Applicants have amended the title and respectfully request therefore that the objection be withdrawn.

Rejection Under 35 U.S.C. 103

Claims 1-21 were rejected as unpatentable under 35 U.S.C. § 103(a) over each of U.S. Patent No. 6,615,078 (Burson et al.), U.S. Patent Application Publication No. 2005/0170448 A1 (Burson2 et al.) and U.S. Patent Application Publication No. 2004/0062759 A1 (Abraham et al.). Applicants traverse the rejection in view of amended claim 1. As amended, claim 1 recites:

1. A hydrogel composition for measuring glucose flux, said hydrogel composition comprising:

a hydrophilic compound which forms a gel in the presence of water, an electrolyte, a phosphate buffer present at a concentration of between about 125 mM and about 500 mM, and a pH of between about pH 6.5 to about pH 8.5, wherein the glucose flux into the hydrogel is at least 0.65 nmol/cm²·hr.

Support for the amendment to claim 1 may be found in Applicants' specification, for example, at page 4, lines 12-16.

Applicants thank the Examiner for the courtesy extended to applicant's representatives in granting an interview to discuss distinguishing features of applicants invention over the prior art of record. Applicants and Examiner reached the agreement that the feature of glucose flux into the hydrogel of at least 0.65 nmol/cm²·hr was not taught by the prior art of record.

Burson et al. (U.S. 6,615,078) is relied upon as disclosing methods and devices for removing interfering species when attempting to detect a selected analyte. Burson et al. does not disclose or suggest, however, the feature of the glucose flux into the hydrogel of at least 0.65 nmol/cm²·hr. In addition, Burson et al. does not disclose or suggest the claimed weight percentages of both sodium phosphate monobasic and sodium phosphate dibasic. Because

Burson et al. does not disclose or suggest either feature, applicant's invention as claimed in claim 1 is non-obvious in view of Burson et al. Applicants' respectfully request therefore that the rejection of claim 1 as being anticipated by Burson et al. be withdrawn and the claim allowed.

Burson2 et al. (U.S. 2005/0170448 A1) is relied upon as disclosing methods for manufacturing glucose measuring assemblies with hydrogels. Burson2 et al. does not disclose or suggest, however, the feature of glucose flux into the hydrogel of at least 0.65 nmol/cm²hr. Because Burson2 et al. does not disclose or suggest this claimed feature, applicant's invention as claimed in claim 1 is non-obvious in view of Burson2 et al. Applicants' respectfully request therefore that the rejection of claim 1 as being anticipated by Burson2 et al. be withdrawn and the claim allowed.

Abraham et al. (U.S. 2004/0062759 A1) is relied upon as disclosing hydrogel formulations for use in electroosmotic extraction and detection of glucose. Abraham et al. does not disclose or suggest, however, the claimed feature of glucose flux into the hydrogel of at least 0.65 nmol/cm²hr. In addition, Abraham et al. does not disclose or suggest the claimed weight percentages of both sodium phosphate dibasic and sodium phosphate monobasic. Because Abraham et al. does not disclose or suggest either claimed feature, the applicant's invention as claimed in claims 1-21 is non-obvious in view of Abraham et al. Applicants' respectfully request therefore that the rejection of claim 1 as being anticipated by Abraham et al. be withdrawn and the claim allowed.

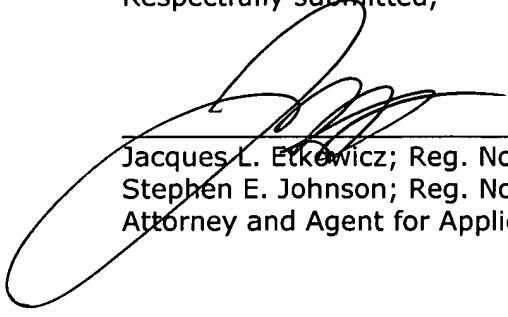
Because claims 2-21 depend on claim 1, either directly or indirectly, they are likewise not subject to rejection for at least the reasons set forth above with respect to claim 1. Applicants' respectfully request therefore that the rejection of claims 2-21 as being anticipated by Burson et al., Burson2 et al. or Abraham et al. be withdrawn and the claim allowed.

Appln. No.: 10/643,631
Amendment Dated June 1, 2006
Reply to Office Action of March 1, 2006

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It is respectfully submitted that the pending claims are in condition for immediate allowance and a notice to this effect is earnestly solicited. The Examiner is invited to phone applicant's attorney if it is believed that a telephonic or personal interview would expedite prosecution of the application to allowance.

Respectfully submitted,



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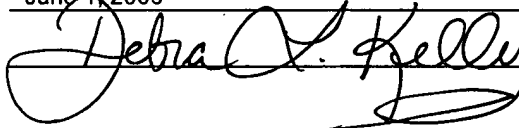
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